

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 2046 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated
10/11/2004 in WVMP No.1763 of 2004 in WPMP No.8849 of 2004 in WP NO : 6820
OF 2004 on the file of the High Court.)

Between:

- 1 Shoukat Baig S/o Mriza Shoukat Baig
R/o Hyderabad
- 2 Naveen Bharadwaz S/o Ram Gopal Sharma
r/o R.K. Puram, Secunderabad-56
- 3 Mohd. Masharuddin S/o Mohd. Moizuddin
R/o Hyderabad
- 4 Abdul Jaker S/o Abdul Khader,
Tolichwki, Hyderabad
- 5 Muzufar Ahmed S/o Mumtaz Ahmed
R/o Hyderabad
- 6 J. Mallikharjuna Rao S/o Veeraswamy
R/o Penamaluru, (PT) (MD) Krishna
- 7 K. Ranga Prasad, S/o Seetharamayya
R/o Vidyadharapuram, Vijayawada
- 8 V. Sailaja D/o V.V. Subba Rao
r/o Vidyadharapuram, Vijayawada
- 9 M. Siva Krishna S/o M.V. Subba Rao
R/o Gannavaram (MD) Krishna District
- 10 V. Raghu S/o Padmanabha Rao
r/o Tadepalli (M.D) Guntur District
- 11 P. Sudhir Kumar, S/o P. Satyanarayana
R/o Patamata, Vijayawada
- 12 B. Satish S/o B. Sankara Rao
R.o Chittinagar, Vijayawada
- 13 Talari Sreenivasulu S/o T. Rangaswamy
R/o Genegandla, Kurnool District

- 14 M. Sreenivasulu S/o M.Ramaiah
R/o B/B 100, B Camp Post, Kurnool District
- 15 G. Paramesh S/o Mareppa
R/o Gonegandla, Kurnool District

- 16 V. Magaraja Rao S/o V. Rama Murthy
R/o Gonegandla, Kurnool District
- 17 S. Rambabu S/o Thimmanna
R/o Madannapuram, Mahaboobnagar District
- 18 V. Devendra Murthy S/o V. Ramamurthy
R/o Gonegondla, Kurnool District
- 19 K. Ravi S/o K. Gowrappa
R/o Mehaboobnagar
- 20 S. Venugopal S/o Changaiah
R/o Rajampet, Cuddapah District

..... APPELLANTS

AND

1. Manonmaniam Sundaranar University Tirunelveli, Tamil Nadu rep by Registrar.
2. The Director, Distance & Continuing Education, Manonmainiam Sundaranar University, Tirunelveli, Tamil Nadu.
3. Kranti Institute of Information Technology & Sciences Cuddapah, rep by Coordinator, K. Khadarvali.
4. R.S. Educational Society, KT Road, Tirupathi rep by Co-ordinator, Sridhar Reddy.

.....RESPONDENT(S)

Counsel for the Appellants: Mr.S.Ramachander Rao for MR.K.R.PRABHAKAR

Counsel for the Respondent Nos.1 and 2: MR.K.SRINIVASAMURTHY

Counsel for the Respondent Nos.3 and 4: Mr.Suresh Kumar Reddy

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

W.P.No.6820 of 2004 was filed in which an interim order was passed. Subsequent thereto, W.P.No.8855 of 2004 was filed. In view of the interim order passed in W.P.No.6820 of 2004, same interim order was passed in W.P.No.8855 of 2004 also. In W.P.No.8855 of 2004 direction was to hear the writ petition along with W.P.No.6820 of 2004. Learned single Judge has, by the order impugned in the present appeal, on 10th November, 2004 vacated the interim order in W.P.No.6820 of 2004 whereas in W.P.No.8855 of 2004, the interim order is continuing and direction has been issued to take up the miscellaneous application also along with the main writ petition for hearing. Both the writ petitions are pending before the same learned single Judge.

In order to maintain parity, in similar matters, of passing orders, usually matters are taken up before the same court and when direction is to take up the two matters together, there cannot be a different procedure followed of vacating the order in one case and continuing the interim order in the other case. In that view of the matter, the impugned order passed by learned single Judge on 10th November, 2004 deserves to be set aside with direction to take up both the writ petitions together and first take up the vacate applications in both the writ petitions for consideration and pass orders simultaneously in both the cases.

Accordingly, writ appeal is allowed, impugned order is set aside and learned single Judge will proceed to hear and dispose of WVMP No.1763 of 2004 and WVMP No.1762 of 2004 filed in W.P.Nos.6820 and 8855 of 2004 respectively simultaneously. Parties to appear before the learned single Judge on **8-2-2005**.

DEVINDER GUPTA, CJ

30-12-2004

M.NARAYANA REDDY, J

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To

1. The Registrar, Manonmaniam Sundaranar University Tirunelveli, Tamil Nadu.
2. The Director, Distance & Continuing Education, Manonmainiam Sundaranar University, Tirunelveli, Tamil Nadu.
3. 2 CD copies.
4. One copy to Section Officer, Writ Filing Section, High Court of A.P., Hyderabad.